IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.3420-M of 2007

DATE OF DECISION: FEBRUARY 27, 2007

Gurlal Singh and another

...PETITIONERS

VERSUS

The State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.Satbir Gill, Advocate,
for the petitioners.
Mr.N.S.Gill, AAG, Punjab.
Mr.Vishal Malik, Advocate,
for Mr.Gulshan Sharma, Advocate,
for the complainant.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No.244 dated 28.10.2006 registered under Sections 307/323/148/149 IPC at Police Station Dharamkot, District Moga, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on January 19, 2007, the arrest of the petitioners was stayed subject to his joining the investigation.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that in the cross version case, both the parties received injuries. He further contends that as far as the petitioners are concerned, they have been attributed only simple injuries. Counsel for the petitioners contends that initially the case against the petitioners was registered under Sections 323/148/149 IPC and subsequently, offence under Section 307 IPC has been added for the injuries attributed to Pardeep Kumar (non-applicant).

Counsel for the petitioners further contends that in terms of the interim order dated January 19, 2007, the petitioners have joined the investigation. This fact has not been disputed by the State counsel and he further on instructions from HC Surinder Singh states that the petitioners are no more required for further investigation.

In view of the above, the interim order dated January 19, 2007 is made absolute on the same terms and conditions.

Disposed of accordingly.

February 27, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE